

HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.15370 OF 2000

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Between:

Smt. Vanam Revathi

.....Petitioner

And

Government of India,
Rep. by its Under Secretary,
Ministry of Home Affairs
(Freedom Fighters Division),
Loknayak Bhavan, Khan Market,
New Delhi

.....Respondent

:: ORDER ::

Counsel for the Petitioner : Kowturu Vinaya Kumar

Counsel for the Respondent : Sri A.Rajasekhar Reddy,
Assistant Solicitor General

Dated: 08-08-2006

In this petition, the petitioner has prayed for quashing

communication dated 13-07-2000, whereby the Government of India rejected the claim made by her husband for grant of pension under the Swatantrata Sainik Samman Pension Scheme, 1980.

I have heard learned counsel for the parties and perused the record.

Admittedly, in reply to letter No.52/CC/377/2002 FF (List.II) HC dated 16-08-2001 sent by the Ministry of Home Affairs, Government of India, Principal Secretary to Government, Revenue Department, Andhra Pradesh Secretariat, Hyderabad sent letter No.53319/FF.I/A1/2001 dated 26-07-2002 to Deputy Secretary to Government of India, Ministry of Home Affairs (FF) Division supporting the case of the petitioner, but final decision has not been taken by the latter.

Learned counsel for the petitioner, Sri K.Vinay Kumar produced copy of letter dated 26-07-2002 and submitted that in the face of the clarification given by the Government of Andhra Pradesh, the objection taken in the communication dated 16-08-2001 sent by the Government of India does not survive and, therefore, a direction be given to the respondents to sanction pension in favour of the petitioner.

Sri A.Rajasekhar Reddy, Assistant Solicitor General to whom copy of letter dated 26-07-2002 was handed over by Sri Vinay Kumar, says that the competent authority of the Government of India shall, within a period of two months from the date of receipt of copy of this order, decide the matter afresh in the light of the contents of letter dated 26-07-2002 and such decision will be communicated to the petitioner.

In view of the statement made by the learned Assistant Solicitor General, the writ petition is disposed of with the direction that the petitioner's case shall be decided within two months and she be informed about the decision. The petitioner is given liberty to seek

revival of the petition, if the competent authority of the Government of India fails to decide the matter within two months from the date of receipt of copy of this order.

G.S. SINGHVI, CJ

08-08-2006

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Note: The Court Officer is directed to give an attested copy of this order to Sri A.Rajasekhar Reddy, Assistant Solicitor General for being sent to the competent authority so as to enable it to take appropriate decision in terms of the undertaking given before this Court and the direction contained in the last paragraph of this order.

B/O